

REMARKS/ARGUMENTS

Claims 1-5 remain in this application.

Claims 1 and 5 have been amended.

The indicating that Claim 5 contains allowable subject matter has been noted.

Claim 5 has been rewritten in independent form and therefore it is believed that Claim 5 is in condition for formal allowance. The objection to Claim 5 has been well taken and Claim 5 has been changed accordingly.

Claims 1-4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Gersten in view of Biggar. This rejection is respectfully traversed. Independent Claim 1 specifically defines that each container is to align with a name plaque. It is agreed that Biggar shows a plurality of urns in conjunction with a vault. It is also agreed that one could utilize the container (urn) concept of Biggar within Gersten. However, Biggar does not teach aligning a container (urn) with a name plaque on the housing (vault). Therefore, it is believed that independent Claim 1 defines structure which is different and patentably distinctive over Gersten combined with Biggar.

Claims 2 and 3 define structures which in and of itself is shown in Gersten. However, since Claims 2 and 3 depend from Claim 1, it is believed that these claims will be allowed upon Claim 1 being allowed.

Claim 4 defines that all of the containers closely fit within an internal chamber of the vault (housing). The Examiner is stating that Gersten discloses containers "closely

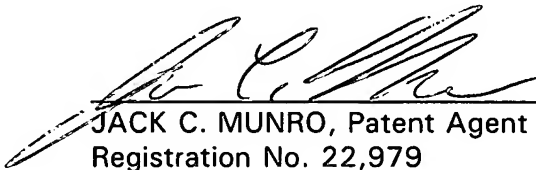
Amendment to BURIAL URN FOR A PLURALITY OF CREMATED REMAINS
Daniel J. Gersten, inventor
Serial No. 10/612,638
Filed July 1, 2003
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fitting" within an internal chamber. Gersten does not show or teach any such containers to be mounted within an internal chamber. Therefore, the stating by the Examiner that Gersten discloses containers that closely fit within an internal chamber is not understood. It is believed that Claim 4 defines allowable patentably distinctive subject matter and that Claim 4 should also be formally allowed.

In view of the foregoing amendments to the claims and arguments presented herein, it is believed that the claims as now submitted clearly define allowable subject matter over the references of record. It is courteously requested that this application be reconsidered, such reconsideration being favorable resulting in passing of this application to issue.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to account No. 13-4899.

Respectfully submitted,



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